

PLANNING & DEVELOPMENT BOARD MEETING MINUTES

February 7, 2022



Ruthanne Fuller
Mayor

Barney Heath
Director
Planning & Development

Cat Kemmett, Planning
Associate

Members

Peter Doeringer, Chair
Kelley Brown, Member
Sudha Maheshwari, Member
Jennifer Molinsky, Member
Chris Steele, Member
Kevin McCormick, Member
Barney Heath, Planning
Director *ex officio*
Lee Breckenridge, Alternate

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Members Present:

Peter Doeringer, Chair
Kelley Brown, Vice-Chair
Jennifer Molinsky, Member
Sudha Maheshwari, Member
Chris Steele, Member
Kevin McCormick, Member
Barney Heath, *ex officio*
Lee Breckenridge, Alternate

Staff Present:

Cat Kemmett, Planning Associate

Meeting held virtually by Zoom Meeting

1. Minutes

Upon a motion by Ms. Maheshwari the minutes from January 3, 2022 were adopted 6-0-1 with Director Heath abstaining.

2. Recommendation on Landmark Proposal before Newton Historical Commission for 206-208 Concord Street

Chief Preservation Planner Valerie Birmingham gave a presentation on the local landmark nomination for 206-208 Concord Street. For further detail about the history of the property, please see Ms. Birmingham's memo to the Board dated February 3, 2022.

The home is located in a largely residential neighborhood in Newton Lower Falls across from the Charles River. First built in 1830, several renovations and additions have been made to the building over time.

Ms. Birmingham provided details about how the house has changed over time, and the various owners of the property. This property has been deemed significant due to its connection to the Crane family who owned it for a time. The Crane family has a notable and enduring history in the mill and paper making industry.

Ms. Kemmett added that in terms of neighborhood context, as a two-story home, 206-208 Concord fits in with the predominantly residential character of its surrounding parcels. There are no city plans or policies that give much specific guidance for a case like this. Historic preservation of significant structures is listed as a priority in the Comprehensive Plan, but preservation goals should be

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considered along with housing, environmental, and economic goals as well. Additionally, though there are no MBTA stations within a half mile of the site, there are several that are within 1 mile, so there is a possibility that this area could be impacted by the changes required by the state for rezoning to allow multi family structures in MBTA communities.

Mr. McCormick asked whether this would protect the house itself, or the whole site. Ms. Birmingham confirmed that it would effectively protect the whole site, and any significant changes made once it is landmarked would likely need to get approval.

Ms. Maheshwari asked if the property is part of a historic district, and details about ownership of the property. Ms. Birmingham said that it is not in the national register or in a historic district. The property was sold recently to an LLC, and their plan is to sell the property as two condos, retaining the two-family status. They have no intention to demolish the structure.

Mr. Brown asked who nominated the property. Ms. Birmingham said that many neighbors expressed interest in landmarking the home because of the Crane connection, and Councilor Gentile nominated it along with a member of the NHC. Mr. Brown pointed out that Lower Falls does have a historic district not too far away, and this property is not one of them. Ms. Birmingham said that that district was established in the 1980s, and at that point the Crane connection may not have been well known.

Mr. Steele observed that 206-208 Concord fits in well with the other buildings included as part of the Lower Falls Historic District, so it seems odd that it was not included initially. He said that because the MBTA stations nearby are not within a ½ mile, the MBTA communities zoning requirement would not necessarily apply. He noted that the lot is long and narrow, and asked what a historic designation would mean for the rest of the lot. Ms. Birmingham said that it would be up to the NHC to determine if any new construction or change elsewhere on the lot would be appropriate.

Chair Doeringer said that he had visited the property in person and saw that it was for sale and looked abandoned. He asked if it was the case that the house was for sale. Ms. Birmingham said that as far as she knew the owners did want to sell it, and that though it was not owner occupied at this time, it was not abandoned.

Cyrisse Jaffee, a neighbor and local historian in support of the landmark nomination, said that to her knowledge the developer was planning to sell it and keep it as a two-family, with the possibility of some yet to be determined project on the rest of the lot. She also mentioned that the property is adjacent to, but not part of, the historic district around St. Mary's Episcopal Church. This developer has also purchased multifamily properties elsewhere in the city.

Tori Zissman, also a neighbor and local historian, spoke in favor of the nomination. She noted that the architecture is interesting, the history is significant not just in the neighborhood but also to the greater Newton community and preserving the structure will support a sense of community and continuity with history.

Ms. Molinsky reflected on the role of the Planning Board and planning implications for this nomination. She does not see this particular neighborhood as one that is likely to experience significant change in terms of density in the near future, since it is not immediately proximate to the village center. It's also possible that in an SR3 district, if this house were to be demolished, it's very likely a single-family home would replace it, rather than a two-family. She said that alone did not seem compelling enough of a reason to landmark the building, though. Mr. McCormick agreed with Ms. Molinsky and said that he was leaning towards supporting the landmark status to preserve the two-family status of the building.

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Randall Block, a resident of Newton Lower Falls, made a statement on behalf of Beverly Hurney, the historian for St. Mary's Episcopal Church, and also a resident of Lower Falls. The statement outlined the relationship between the Crane family and the church and spoke in favor of landmarking 206-208 Concord Street to confirm the importance of the Crane family's legacy in Lower Falls and in Newton at large.

Chair Doeringer said that he is broadly supportive of acknowledging the importance of the paper industry to the Newton Lower Falls economy and community and asked if there are other similar examples of working-class homes owned by mill workers from this era that are still standing. Ms. Birmingham said that she has not researched the significance of other buildings in the area, but there are probably other similar examples, but they may not have the heft of the significance of the connection to the Crane family. Ms. Zissman added that 206-208 Concord is also a bit unique in that it is a two-family house. Ms. Jaffee added that the humbleness of this home is another thing to consider, since it is rare to grant landmark status to more modest homes. She also does not believe a commercial venture would be viable at this location.

Ms. Maheshwari observed that many homes in this area do have long and rich histories, so it is not so unusual to have a connection to local history. Further, by conferring a local landmark status, whoever owns this home in the future will need to contend with the added cost and bureaucratic complexity that comes with having that historic designation.

Director Heath said that the Board should consider where the property sits in relation to city policies and plans, and the NHC will weigh the historic significance of the property. Chair Doeringer said that he sees the Board's role as not limited to only considering city plans and policies, but to balance the historic value along with other planning considerations.

Mr. Brown and Ms. Molinsky were compelled by the historic significance of the property, but Ms. Molinsky noted that the Board's role is not to assess the historic value. She said that she is in favor of not making a formal recommendation to the NHC. Mr. Steele concurred with this assessment and said that though he too was convinced there was some historical merit in preserving the building, there are no pressing planning or zoning concerns that necessitate the Board making a recommendation whether to landmark it or not.

Several Board members spoke in favor of writing a brief explanation to the NHC to explain the Board's thinking on this matter, even though they will not be making a formal recommendation.

Upon a motion by Mr. Brown, the Board voted 6-0-1, with Director Heath abstaining, to authorize Chair Doeringer to send a letter to the Newton Historical Commission indicating the reasons why the Board voted no action necessary with respect to the landmark nomination for 206-208 Concord Street.

2. Zoning Matters Ahead Discussion

Multifamily Zoning Requirement for MBTA Communities

Mr. McCormick asked what next steps are for the MBTA community requirements. He was concerned by the number of councilors who spoke out against the regulations in the MBTA communities' requirements and was generally in favor of the city coming into compliance with the multifamily zoning requirements. Mr. Heath said that according to the rules, by the 1st of May the city needs to hold a briefing for a committee of the whole. The Planning Department plans to meet with the council in March to share with them the latest thinking on this in order to convey their feedback to DHCD before the end of the comment period. There are deadlines along the way where communities would need to take certain actions as well.

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Mr. Brown noted that some city councilors and community members seemed under the impression the MBTA communities multifamily zoning requirements could be opted out of and expressed support for getting clarification from DHCD about whether this is a requirement or not. To him the language makes clear that it is a requirement, but others have a different interpretation, and making expectations and requirements very clear would be helpful.

Sustainability/ Environmental Amendments – Climate Action Plan

On February 14th at ZAP, the sustainability team will be providing an update on the status of implementing the Climate Action Plan and possible strategies to move some of this work forward. Climate action plan items to be discussed include

- BERDO - Building Energy Reduction and Disclosure Ordinance (“Boston/Cambridge Model”)
- Sustainable Residential Incentives (“Lexington Model”)
- Updates to Sustainable Development Requirements (Ch. 30 Sec. 5.13)
- Electrification home rule petition/the State electrification bill

Citizen’s petition to amend the village center district

Director Heath said that Attorney Peter Harrington has submitted a citizen’s petition to amend village center zoning districts. This petition was formulated separate from the work the city has done on village center zoning. A public hearing for this item will take place later in February.

Regulation of “last mile” delivery services

A docket item that the Board has not yet discussed is #41-22, a discussion of whether and how “last mile” delivery services with physical locations in village centers should be regulated. More information about this use is forthcoming from staff. Chair Doeringer, who is part of a subgroup looking into this topic in depth, reported out about the group’s plans to talk to so-called “dark store” operators and convenience stores who can provide an insider perspective on dark stores.

Zoning cleanup

Ms. Kemmett will be giving a presentation on the 2022 zoning cleanup items at ZAP on February 14th. It is a very short list of updates, the most significant of which is a sustainability item to make it easier for buildings to add exterior insulation.

Outdoor Dining

The Mayor has submitted a request to amend the Zoning ordinance to insert a new Section 5.1.14 to allow restaurants for nine months to add outdoor seating on their private property regardless of the impact on any applicable parking and seating requirements from April 1, 2022 until January 1, 2023. The Governor had issued an order which allowed restaurants to use privately owned outdoor spaces as dining areas, but that order is set to expire on April 1. Though there is a possibility the legislature may extend the order for another year, this amendment will allow Newton restaurants to continue this practice for another year even if the state order expires. Without this amendment, restaurants that plan to take advantage of this option would need to seek a special permit or amend an existing one to allow for that use.

4. City updates

West Newton Armory

Metro West Collaborative Development and Civico held a meeting on January 16 to talk about their plans and receive comments from the public. Director Heath said that the project was generally well received. The

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development team still needs to assemble funding and permitting, and they are planning to seek a comprehensive permit with the zoning board of appeals.

5. Adjournment

Upon a motion by Mr. Steele and approved unanimously, the meeting was adjourned at 8:40 p.m.